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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/645,304	08/21/2003	Samuel I. Stupp	NANO 104 US2	8011

62249 7590 12/27/2007

BENET GROUP LLC
C/O INTELLEVATE
P.O. BOX 52050
MINNEAPOLIS, MN 55402

EXAMINER	
CORDERO GARCIA, MARCELA M	
ART UNIT	**PAPER NUMBER**
1654	

MAIL DATE	DELIVERY MODE
12/27/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
10645304	8/21/03	STUPP ET AL.	NANO 104 US2

BENET GROUP LLC
C/O INTELLEVATE
P.O. BOX 52050
MINNEAPOLIS, MN 55402

EXAMINER	
Marcela M. Cordero Garcia	
ART UNIT	**PAPER**
1654	20071214

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents

This application contains sequence disclosures that are encompassed by the definitions for nucleotide and/or amino acid sequences set forth in 37 C.F.R. § 1.821(a)(1) and (a)(2). However, this application fails to comply with the requirements of 37 C.F.R. §§ 1.821-1.825 for the reason(s) set forth on the attached Notice To Comply With Requirements For Patent Applications Containing Nucleotide Sequence And/Or Amino Acid Sequence Disclosures. Applicant must comply with the requirements of the sequence rules (37 CFR 1.821 - 1.825) before the application can be examined under 35 U.S.C. §§ 131 and 132.

APPLICANT IS GIVEN ONE MONTH FROM THE DATE OF THIS LETTER WITHIN WHICH TO COMPLY WITH THE SEQUENCE RULES, 37 C.F.R.. §§ 1.821-1.825. Failure to comply with these requirements will result in ABANDONMENT of the application under 37 C.F.R. § 1.821(g). Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 C.F.R. § 1.136. In no case may an applicant extend the period for response beyond the six month statutory period. Direct the response to the undersigned. Applicant is requested to return a copy of the attached Notice to Comply with the response.

Please direct all replies to the United States Patent and Trademark Office via one (1) of the following:

1. Electronically submitted through EFS-Bio (<http://www.uspto.gov/ebc/efs/downloads/documents.htm>, EFS Submission User Manual - ePAVE)
2. Mailed to:
Mail Stop Sequence
Commissioner for Patents
P.O. Box 22313 1450
Alexandria, VA 22313 1450
3. Hand Carry, Federal Express, United Parcel Service or other delivery service to:
U.S. Patent and Trademark Office
Mail Stop Sequence
Customer Window
Randolph Building
401 Dulaney Street
Alexandria, VA 22314

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Marcela M Cordero Garcia whose telephone number is (571) 272-2939.If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Cecilia Tsang, whose telephone number is (571) 272-0562.

Marcela M Cordero Garcia
Patent Examiner
Art Unit 1654

Cecilia J. Tsang
[illegible] Patent Examiner
[illegible] Center 1600

Notice to Comply	Application No. 10/645,304	Applicant(s) Stupp et al.	
	Examiner M M Cordero Garcia	Art Unit 1654	

NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

Applicant must file the items indicated below within the time period set the Office action to which the Notice is attached to avoid abandonment under 35 U.S.C. § 133 (extensions of time may be obtained under the provisions of 37 CFR 1.136(a)).

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

☐ 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998).

☐ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).

☐ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).

☒ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."

☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).

☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable from of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).

☐ 7. Other:

Applicant Must Provide:

☒ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".

☒ An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.

☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216 or (703) 308-2923
For CRF Submission Help, call (703) 308-4212 or 308-2923
PatentIn Software Program Support
Technical Assistance.....703-287-0200
To Purchase PatentIn Software.....703-306-2600

PLEASE RETURN A COPY OF THIS NOTICE WITH YOUR REPLY

STIC Biotechnology Systems Branch

RAW SEQUENCE LISTING ERROR REPORT

The Biotechnology Systems Branch of the Scientific and Technical Information Center (STIC) detected errors when processing the following computer readable form:

Application Serial Number: 10/645,304A
Source: EFW
Date Processed by STIC: 4-29-05

THE ATTACHED PRINTOUT EXPLAINS DETECTED ERRORS.
PLEASE FORWARD THIS INFORMATION TO THE APPLICANT BY EITHER:
1) **INCLUDING A COPY OF THIS PRINTOUT IN YOUR NEXT COMMUNICATION TO THE APPLICANT, WITH A NOTICE TO COMPLY or,**
2) **TELEPHONING APPLICANT AND FAXING A COPY OF THIS PRINTOUT, WITH A NOTICE TO COMPLY**

FOR CRF SUBMISSION AND PATENTIN SOFTWARE QUESTIONS, PLEASE CONTACT MARK SPENCER, TELEPHONE: 571-272-2510; FAX: 571-273-0221

TO REDUCE ERRORED SEQUENCE LISTINGS, PLEASE USE THE CHECKER VERSION 4.2.2 PROGRAM, ACCESSIBLE THROUGH THE U.S. PATENT AND TRADEMARK OFFICE WEBSITE. SEE BELOW FOR ADDRESS:

http://www.uspto.gov/web/offices/pac/checker/chkrnote.htm

Applicants submitting genetic sequence information electronically on diskette or CD-Rom should be aware that there is a possibility that the disk/CD-Rom may have been affected by treatment given to all incoming mail.
Please consider using alternate methods of submission for the disk/CD-Rom or replacement disk/CD-Rom.
Any reply including a sequence listing in electronic form should NOT be sent to the 20231 zip code address for the United States Patent and Trademark Office, and instead should be sent via the following to the indicated addresses:

1. EFS-Bio (<http://www.uspto.gov/ebc/efs/downloads/documents.htm> , **EFS Submission User Manual** - ePAVE)
2. **U.S. Postal Service:** Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450
3. **Hand Carry, Federal Express, United Parcel Service, or other delivery service (EFFECTIVE 01/14/05):** U.S. Patent and Trademark Office, Mail Stop Sequence, Customer Window, Randolph Building, 401 Dulany Street, Alexandria, VA 22314

Revised 01/24/05

Raw Sequence Listing Error Summary

SERIAL NUMBER: 10/645,304A

ERROR DETECTED	SUGGESTED CORRECTION
ATTN: NEW RULES CASES: PLEASE DISREGARD ENGLISH "ALPHA" HEADERS WHICH WERE INSERTED BY FTO SOFTWARE	
1 ____ Wrapped Nucleics Wrapped Aminos	The number/next at the end of each line "wrapped" down to the next line. This may occur if your file was retrieved in a word processor after creating it. Please adjust your right margin to .); this will prevent "wrapping."
2 ____ Invalid Line Length	The rules require that a line not exceed 72 characters in length. This includes white spaces.
3 ____ Misaligned Amino Numbering	The numbering under each 5th amino acid is misaligned. Do not use tab codes between numbers; use space characters, instead.
4 ____ Non-ASCII	The submitted file was not saved in ASCII(DOS)text, as required by the Sequence Rules. Please ensure your subsequent submission is saved in ASCII text.
5 ____ Variable Length	Sequence(s) ____ contain n's or Xaa's representing more than one residue. Per Sequence Rules, each n or Xaa can only represent a single residue. Please present the maximum number of each residue having variable length and indicate in the <220>-<223> section that some may be missing
6 ____ Patentin 2.0 "bug"	A "bug" in Patentin version 2.0 has caused the <220>-<223> section to be missing from amino acid sequences(s) _____. Normally, Patentin would automatically generate this section from the previously coded nucleic acid sequence. Please manually copy the relevant <220>-<223> section to the subsequent amino acid sequence. This applies to the mandatory <220>-<223> sections for Artificial or Unknown sequences.
7 ____ Skipped Sequences (OLD RULES)	Sequence(s) ____ missing If intentional, please insert the following lines for each skipped sequence: (2) INFORMATION FOR SEQ ID NO X (insert SEQ ID NO where "X" is shown) (i) SEQUENCE CHARACTERISTICS (Do not insert any subheadings under this heading) (xi) SEQUENCE DESCRIPTION SEQ ID NO X (insert SEQ ID NO where "X" is shown) This sequence is intentionally skipped Please also adjust the "(iii) NUMBER OF SEQUENCES" response to include the skipped sequences.
8 Skipped Sequences (NEW RULES)	Sequence(s) ____ missing If intentional, please insert the following lines for each skipped sequence: <210> sequence id number <400> sequence id number 000
9 Use of n's or Xaa's (NEW RULES)	Use of n's and/or Xaa's have been detected in the Sequence Listing Per 1.821 of Sequence Rules, use of <220> - <223> is MANDATORY if n's or Xaa's are present in <220> to <223> section, please explain location of n or Xaa, and which residue n or Xaa represents
10 Invalid <213> Response	Per 1.821 of Sequence Rules, the only valid <213> responses are Unknown, Artificial Sequence or scientific name (Genus/species) <220> - <223> section is required when <213> response is Unknown or is Artificial Sequence
11 Use of <220>	Use of <220> to <223> is MANDATORY if <213> "Organism" response is "Artificial Sequence" or "Unknown" Please explain source of genetic material in <220> to <223> section (See "Federal Register," 06/01/1998, Vol 63, No 104, pp 29631-32) (See 1.823 of Sequence Rules)
12 ____ Patentin 2.0 "bug"	Please do not use "Copy to Disk" function of Patentin version 2.0. This causes a corrupted file, resulting in missing mandatory numeric identifiers and responses (as indicated on raw sequence listing). Instead, please use "File Manager" or any other manual means to copy file to floppy disk.
13 ____ Misuse of n/Xaa	"n" can only represent a single nucleotide; "Xaa" can only represent a single amino acid

IFWO

RAW SEQUENCE LISTING DATE: 04/29/2005
PATENT APPLICATION: US/10/645,304A TIME: 15:13:57

Input Set : D:\Angiogenix 1001 Sequence.txt
Output Set: N:\CRF4\04292005\J645304A.raw

Does Not Comply
Corrected Diskette Needed
(pg. 1-5)

```
      3 <110> APPLICANT: Samuel , Stupp I.
      5 <120> TITLE OF INVENTION: CHARGED PEPTIDE-AMPHIPHILE SOLUTIONS & SELF ASSEMBLED
PEPTIDE
      6       NANOFIBER NETWORKS FORMED THEREBY
      8 <130> FILE REFERENCE: 126481.1001
     10 <140> CURRENT APPLICATION NUMBER: 10/645,304A
     11 <141> CURRENT FILING DATE: 2003-08-21
     13 <150> PRIOR APPLICATION NUMBER: 60/406,016
     14 <151> PRIOR FILING DATE: 2002-08-21
     16 <160> NUMBER OF SEQ ID NOS: 22
     18 <170> SOFTWARE: PatentIn version 3.2
     20 <210> SEQ ID NO: 1
     21 <211> LENGTH: 7
     22 <212> TYPE: PRT
     23 <213> ORGANISM: Artificial
     25 <220> FEATURE:
     26 <223> OTHER INFORMATION: Cystine with a 16 carbon alkyl chain attached
     28 <400> SEQUENCE: 1
     30 Cys Cys Cys Cys Gly Gly Gly
     31 1               5
     34 <210> SEQ ID NO: 2
     35 <211> LENGTH: 7
     36 <212> TYPE: PRT
     37 <213> ORGANISM: Artificial
     39 <220> FEATURE:
     40 <223> OTHER INFORMATION: Alanine with a 16 carbon alkyl chain attached
     42 <400> SEQUENCE: 2
     44 Ala Ala Ala Ala Gly Gly Gly
     45 1               5
     48 <210> SEQ ID NO: 3
     49 <211> LENGTH: 7
     50 <212> TYPE: PRT
     51 <213> ORGANISM: Artificial
     53 <220> FEATURE:
     54 <223> OTHER INFORMATION: Serine with a 16 carbon alkyl chain attached
     56 <400> SEQUENCE: 3
     58 Ser Leu Ser Leu Gly Gly Gly
     59 1               5
     62 <210> SEQ ID NO: 4
     63 <211> LENGTH: 7
     64 <212> TYPE: PRT
     65 <213> ORGANISM: Artificial
     67 <220> FEATURE:
     68 <223> OTHER INFORMATION: Cystein with a 16 carbon alkyl chain attached
```

What is the source of genetic material?

What is the source of genetic material?

What is the source of genetic material?

What is the source of genetic material?

↑ see item # 11 on error summary sheet.

RAW SEQUENCE LISTING DATE: 04/29/2005
PATENT APPLICATION: US/10/645,304A TIME: 15:13:57

Input Set : D:\Angiogenix 1001 Sequence.txt
Output Set: N:\CRF4\04292005\J645304A.raw

√ Same errors

70 <400> SEQUENCE: 4
72 Cys Cys Cys Cys Gly Gly Gly
73 1 5
76 <210> SEQ ID NO: 5
77 <211> LENGTH: 7
78 <212> TYPE: PRT
79 <213> ORGANISM: Artificial
81 <220> FEATURE:
82 <223> OTHER INFORMATION: Alanine with a 16 carbon alkyl chain attached
84 <400> SEQUENCE: 5
86 Ala Ala Ala Ala Gly Gly Gly
87 1 5
90 <210> SEQ ID NO: 6
91 <211> LENGTH: 7
92 <212> TYPE: PRT
93 <213> ORGANISM: Artificial
95 <220> FEATURE:
96 <223> OTHER INFORMATION: Serine with a 16 carbon alkyl chain attached
98 <400> SEQUENCE: 6
100 Ser Leu Ser Leu Gly Gly Gly
101 1 5
104 <210> SEQ ID NO: 7
105 <211> LENGTH: 7
106 <212> TYPE: PRT
107 <213> ORGANISM: Artificial
109 <220> FEATURE:
110 <223> OTHER INFORMATION: Cystein with a 16 carbon alkyl chain attached
112 <400> SEQUENCE: 7
114 Cys Cys Cys Cys Gly Gly Gly
115 1 5
118 <210> SEQ ID NO: 8
119 <211> LENGTH: 7
120 <212> TYPE: PRT
121 <213> ORGANISM: Artificial
123 <220> FEATURE:
124 <223> OTHER INFORMATION: Alanine with a 16 carbon alkyl chain attached
126 <400> SEQUENCE: 8
128 Ala Ala Ala Ala Gly Gly Gly
129 1 5
132 <210> SEQ ID NO: 9
133 <211> LENGTH: 7
134 <212> TYPE: PRT
135 <213> ORGANISM: Artificial
137 <220> FEATURE:
138 <223> OTHER INFORMATION: Serine with a 16 carbon alkyl chain attached
140 <400> SEQUENCE: 9
142 Ser Leu Ser Leu Gly Gly Gly
143 1 5
146 <210> SEQ ID NO: 10

See item # 11 on error Summary Sheet.

RAW SEQUENCE LISTING DATE: 04/29/2005
PATENT APPLICATION: US/10/645,304A TIME: 15:13:57

Input Set : D:\Angiogenix 1001 Sequence.txt
Output Set: N:\CRF4\04292005\J645304A.raw

same errors

147 <211> LENGTH: 7
148 <212> TYPE: PRT
149 <213> ORGANISM: Artificial
151 <220> FEATURE:
152 <223> OTHER INFORMATION: Cystein with a 16 carbon alkyl chain attached
154 <400> SEQUENCE: 10
156 Cys Cys Cys Cys Gly Gly Gly
157 1 5
160 <210> SEQ ID NO: 11
161 <211> LENGTH: 7
162 <212> TYPE: PRT
163 <213> ORGANISM: Artificial
165 <220> FEATURE:
166 <223> OTHER INFORMATION: Alanine with a 16 carbon alkyl chain attached
168 <400> SEQUENCE: 11
170 Ala Ala Ala Ala Gly Gly Gly
171 1 5
174 <210> SEQ ID NO: 12
175 <211> LENGTH: 7
176 <212> TYPE: PRT
177 <213> ORGANISM: Artificial
179 <220> FEATURE:
180 <223> OTHER INFORMATION: Serine with a 16 carbon alkyl chain attached
182 <400> SEQUENCE: 12
184 Ser Leu Ser Leu Gly Gly Gly
185 1 5
188 <210> SEQ ID NO: 13
189 <211> LENGTH: 7
190 <212> TYPE: PRT
191 <213> ORGANISM: Artificial
193 <220> FEATURE:
194 <223> OTHER INFORMATION: Cystein with a 16 carbon alkyl chain attached
196 <400> SEQUENCE: 13
198 Cys Cys Cys Cys Gly Gly Gly
199 1 5
202 <210> SEQ ID NO: 14
203 <211> LENGTH: 7
204 <212> TYPE: PRT
205 <213> ORGANISM: Artificial
207 <220> FEATURE:
208 <223> OTHER INFORMATION: Alanine with a 16 carbon alkyl chain attached
210 <400> SEQUENCE: 14
212 Ala Ala Ala Ala Gly Gly Gly
213 1 5
216 <210> SEQ ID NO: 15
217 <211> LENGTH: 7
218 <212> TYPE: PRT
219 <213> ORGANISM: Artificial
221 <220> FEATURE:

RAW SEQUENCE LISTING DATE: 04/29/2005
PATENT APPLICATION: US/10/645,304A TIME: 15:13:57

Input Set : D:\Angiogenix 1001 Sequence.txt
Output Set: N:\CRF4\04292005\J645304A.raw

Same errors

222 <223> OTHER INFORMATION: Serine with a 16 carbon alkyl chain attached
224 <400> SEQUENCE: 15
226 Ser Leu Ser Leu Gly Gly Gly
227 1 5
230 <210> SEQ ID NO: 16
231 <211> LENGTH: 7
232 <212> TYPE: PRT
233 <213> ORGANISM: Artificial
235 <220> FEATURE:
236 <223> OTHER INFORMATION: Cystein with a 16 carbon alkyl chain attached
238 <400> SEQUENCE: 16
240 Cys Cys Cys Cys Gly Gly Gly
241 1 5
244 <210> SEQ ID NO: 17
245 <211> LENGTH: 7
246 <212> TYPE: PRT
247 <213> ORGANISM: Artificial
249 <220> FEATURE:
250 <223> OTHER INFORMATION: Cystein with a 16 carbon alkyl chain attached
252 <400> SEQUENCE: 17
254 Ala Ala Ala Ala Gly Gly Gly
255 1 5
258 <210> SEQ ID NO: 18
259 <211> LENGTH: 7
260 <212> TYPE: PRT
261 <213> ORGANISM: Artificial
263 <220> FEATURE:
264 <223> OTHER INFORMATION: Serine with a 16 carbon alkyl chain attached
266 <400> SEQUENCE: 18
268 Ser Leu Ser Leu Gly Gly Gly
269 1 5
272 <210> SEQ ID NO: 19
273 <211> LENGTH: 7
274 <212> TYPE: PRT
275 <213> ORGANISM: Artificial
277 <220> FEATURE:
278 <223> OTHER INFORMATION: Cystein with a 16 carbon alkyl chain attached
280 <400> SEQUENCE: 19
282 Cys Cys Cys Cys Gly Gly Gly
283 1 5
286 <210> SEQ ID NO: 20
287 <211> LENGTH: 7
288 <212> TYPE: PRT
289 <213> ORGANISM: Artificial
291 <220> FEATURE:
292 <223> OTHER INFORMATION: Alanine with a 16 carbon alkyl chain attached
294 <400> SEQUENCE: 20
296 Ala Ala Ala Ala Gly Gly Gly
297 1 5

RAW SEQUENCE LISTING DATE: 04/29/2005
PATENT APPLICATION: US/10/645,304A TIME: 15:13:57

Input Set : D:\Angiogenix 1001 Sequence.txt
Output Set: N:\CRF4\04292005\J645304A.raw

300 <210> SEQ ID NO: 21
301 <211> LENGTH: 7
302 <212> TYPE: PRT
303 <213> ORGANISM: Artificial
305 <220> FEATURE:
306 <223> OTHER INFORMATION: Serine with a 16 carbon alkyl chain attached
308 <400> SEQUENCE: 21
310 Ser Leu Ser Leu Gly Gly Gly
311 1 5
314 <210> SEQ ID NO: 22
315 <211> LENGTH: 7
316 <212> TYPE: PRT
317 <213> ORGANISM: Artificial
319 <220> FEATURE:
320 <223> OTHER INFORMATION: X is 2,3-diaminopropionic acid
323 <220> FEATURE:
324 <221> NAME/KEY: misc_feature
325 <222> LOCATION: (5)..(7)
326 <223> OTHER INFORMATION: Xaa can be any naturally occurring amino acid
328 <400> SEQUENCE: 22
W--> 330 Ser Leu Ser Leu Xaa Xaa Xaa
331 1 5

Same errors

Pls explain source of genetic material.

Invalid response

OK

see item #11 on error summary sheet.

RAW SEQUENCE LISTING ERROR SUMMARY DATE: 04/29/2005
PATENT APPLICATION: US/10/645,304A TIME: 15:13:58

Input Set : D:\Angiogenix 1001 Sequence.txt
Output Set: N:\CRF4\04292005\J645304A.raw

Please Note:
Use of n and/or Xaa have been detected in the Sequence Listing. Please review the Sequence Listing to ensure that a corresponding explanation is presented in the <220> to <223> fields of each sequence which presents at least one n or Xaa.

Seq#:22; Xaa Pos. 5,6,7

Invalid <213> Response:
Use of "Artificial" only as "<213> Organism" response is incomplete, per 1.823(b) of New Sequence Rules. Valid response is Artificial Sequence.

Seq#:1,2,3,4,5,6,7,8,9,10,11,12,13,14,15,16,17,18,19,20,21,22

VERIFICATION SUMMARY DATE: 04/29/2005
PATENT APPLICATION: US/10/645,304A TIME: 15:13:58

Input Set : D:\Angiogenix 1001 Sequence.txt
Output Set: N:\CRF4\04292005\J645304A.raw

L:330 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:22 after pos.:0